

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIAM C. FLOYD, JR.,

Petitioner,

v.

SCOTT FRAKES, Director of the Nebraska
Department of Correctional Services; and
BRAD HANSEN, Warden Tecumseh State
Correctional Institution;

Respondents.

8:13CV195

ORDER

This matter is before the court on the petitioner's objection, [Filing No. 108](#), to the Magistrate Judge's order to strike, Filing No. 107. The pleading was filed by petitioner and not his attorney. In the pleading, the petitioner indicates that his objection "rests on the theory that he must raise all known Constitutional issues." He states he requested that his counsel raise the issues petitioner raised in his original *pro se* petition, but counsel informed him that is not counsel's obligation. He "files this objection to preserve these Constitutional questions and show that petitioner attempted to litigate the claims." Under this court's Local Rules,

Communication With Court. Once an attorney is appointed or retained, all further documents and other communications with the court must be submitted through the attorney, unless the court permits otherwise. Any further *pro se* documents or other communications submitted to the court may be (1) returned unfiled to the sending party or (2) forwarded to the sending party's attorney.

NEGenR 1.3(i). The petitioner's objection is noted for the record, but will be overruled.

IT IS ORDERED:

1. Petitioner's objection ([Filing No. 108](#)), to the Magistrate Judge's order to strike (Filing No. 107) is overruled.

Dated this 9th day of February, 2017.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge